

FILED
10/7/22 10:16 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:)
MATHEW E. ZUPANCIC) Case No. 19-24551 GLT
)
) Chapter 13
Debtor(s).)
X Related to Dkt Nos.: 106, 109

ORDER OF COURT
(Check Boxes That Apply)

- ☒ Confirming Plan on Final Basis ☐ Chapter 13 Plan dated:
☐ Authorizing Distributions Under Plan ☒ Amended Chapter 13 dated:
On Interim Basis Solely as Adequate Protection 8-31-22

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is **\$1536** effective **3/21**.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the "Plan"), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee's next available distribution date after the first day of the month following the date on which this Order is entered on the Court's docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$, beginning. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee's TFS online payment program.
- ☐ B. The length of the Plan is changed to a total of at least ____ months. This

statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$ _____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:
- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by

Trustee to pay in full during the Plan term:

- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
- ☒ K. Additional Terms and Conditions:
Trustee COD filed 8-9-22 (Doc 106) is resolved by this order.

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.L.B.R. 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.L.B.R. 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: October 7, 2022



Gregory L. Adonio **jah**
Chief United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk

In re:
Mathew E. Zupancic
Debtor

Case No. 19-24551-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Oct 07, 2022

User: auto
Form ID: pdf900

Page 1 of 3
Total Noticed: 31

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 09, 2022:

Recip ID	Recipient Name and Address
db	+ Mathew E. Zupancic, 4038 Irene Street, West Mifflin, PA 15122-2044
cr	+ BOROUGH OF WEST MIFFLIN AND WEST MIFFLIN AREA SCHO, GRB Law, 437 Grant Street 14th Floor, Frick Building, Pittsburgh, PA 15219 UNITED STATES OF AMERICA 15219-6101
15195216	+ Bor of West Mifflin & West Mifflin School District, GRB Law, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building Pittsburgh PA 15219-6101
15176477	+ Indiana University Of PA, 1011 South Drive, Indiana, PA 15705-1046
15162277	+ James Wallace Esq., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
15162280	+ Peoples Gas Bankruptcy Dept., 375 N Shore Drive Ste 600, Attn: Dawn Linder, Pittsburgh, PA 15212-5866
15176484	+ Stonegate Mortgage Corp, 4849 Greenville Avenue, Dallas, TX 75206-4130
15176487	Verizon Wireless, National Recovery Operations, Minneapolis, MN 55426

TOTAL: 8

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: ebnpeoples@grblaw.com	Oct 07 2022 23:46:00	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
cr	+ Email/Text: mjoyce@triboro-fcu.org	Oct 07 2022 23:46:00	Tri Boro Federal Credit Union, 600 E. 8th Avenue, Munhall, PA 15120-1900
15162274	+ Email/Text: ally@ebn.phinsolutions.com	Oct 07 2022 23:46:00	Ally Financial Lease Trust, PO Box 130424, Saint Paul, MN 55113-0004
15184746	Email/Text: ally@ebn.phinsolutions.com	Oct 07 2022 23:46:00	Ally Financial Lease Trust, PO Box 130424, Roseville MN 55113-0004
15176471	+ Email/Text: bankruptcy@acbhq.com	Oct 07 2022 23:46:00	American Credit Bureau, 1200 N Federal Hwy, Boca Raton, FL 33432-2803
15176472	+ Email/Text: clientservices@credit-control.com	Oct 07 2022 23:46:00	Central Loan Admin & R, Po Box 77404, Ewing, NJ 08628-6404
15176473	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Oct 07 2022 23:46:00	Comenitycb/petland, Po Box 182120, Columbus, OH 43218-2120
15176474	+ Email/Text: ebnnotifications@creditacceptance.com	Oct 07 2022 23:46:00	Credit Acceptance Corp, Po Box 5070, Southfield, MI 48086-5070
15162275	+ Email/Text: mrdiscen@discover.com	Oct 07 2022 23:46:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15176475	+ Email/Text: mrdiscen@discover.com	Oct 07 2022 23:46:00	Discover Fin Svcs Llc, Pob 15316, Wilmington, DE 19850-5316
15162276	+ Email/Text: kburkley@bernsteinlaw.com	Oct 07 2022 23:46:00	Duquesne Light Company, c/o Keri Ebeck, Bernstein Law Firm, P.C., 707 Grant St. Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1900

District/off: 0315-2

User: auto

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Date Rcvd: Oct 07, 2022

Form ID: pdf900

Total Noticed: 31

15192298	+ Email/Text: kbarkley@bernsteinlaw.com	Oct 07 2022 23:46:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15162278	Email/Text: JCAP_BNC_Notices@jcap.com	Oct 07 2022 23:46:00	Jefferson Capital, PO BOX 7999, Saint Cloud, MN 56302
15168773	Email/Text: JCAP_BNC_Notices@jcap.com	Oct 07 2022 23:46:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
15194091	^ MEBN	Oct 07 2022 23:42:00	Lakeview Loan Servicing, LLC, PO Box 840, Buffalo, NY 14240-0840
15176480	+ Email/Text: camanagement@mtb.com	Oct 07 2022 23:46:00	M & T Bank Mortgage, Po Box 900, Millsboro, DE 19966-0900
15162279	Email/Text: camanagement@mtb.com	Oct 07 2022 23:46:00	M&T BANK, PO Box 62182, Baltimore, MD 21264
15176483	Email/PDF: ais.sprint.ebn@aisinfo.com	Oct 07 2022 23:46:07	Sprint, Customer Service, P.O. Box 8077, London, KY 40742
15176482	+ Email/Text: clientservices@sourcerm.com	Oct 07 2022 23:46:00	Source Receivables Mng, Po Box 4068, Greensboro, NC 27404-4068
15176485	+ Email/Text: mjoyce@triboro-fcu.org	Oct 07 2022 23:46:00	Tri Boro Fcu, 600 E 8th Ave, Munhall, PA 15120-1900
15162281	+ Email/Text: mjoyce@triboro-fcu.org	Oct 07 2022 23:46:00	Tri-Boro Federal Credit Union, 600 East Eighth Avenue, Munhall, PA 15120-1900
15182376	Email/PDF: ebn_ais@aisinfo.com	Oct 07 2022 23:46:04	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
15176488	+ Email/Text: bnc-bluestem@quantum3group.com	Oct 07 2022 23:46:00	Webbank/gettington, 6250 Ridgewood Road, Saint Cloud, MN 56303-0820

TOTAL: 23

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		LAKEVIEW LOAN SERVICING, LLC
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15176470	*+	Ally Financial Lease Trust, PO Box 130424, Saint Paul, MN 55113-0004
15176476	*+	Duquesne Light Company, c/o Keri Ebeck, Bernstein Law Firm, P.C., 707 Grant St. Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1900
15176479	*P++	JEFFERSON CAPITAL SYSTEMS LLC, PO BOX 7999, SAINT CLOUD MN 56302-7999, address filed with court:, Jefferson Capital, PO BOX 7999, Saint Cloud, MN 56302
15176478	*+	James Wallace Esq., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
15176481	*+	Peoples Gas Bankruptcy Dept., 375 N Shore Drive Ste 600, Attn: Dawn Linder, Pittsburgh, PA 15212-5866
15176486	*+	Tri-Boro Federal Credit Union, 600 East Eighth Avenue, Munhall, PA 15120-1900

TOTAL: 1 Undeliverable, 7 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

District/off: 0315-2

User: auto

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Date Rcvd: Oct 07, 2022

Form ID: pdf900

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Date: Oct 09, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 7, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor LAKEVIEW LOAN SERVICING LLC bnicholas@kmlawgroup.com
Jeffrey A. Golvash	on behalf of Creditor Tri Boro Federal Credit Union jgolvash@golvashepstein.com kmicklo@golvashepstein.com
Jeffrey R. Hunt	on behalf of Creditor BOROUGH OF WEST MIFFLIN AND WEST MIFFLIN AREA SCHOOL DISTRICT jhunt@grblaw.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr.	on behalf of Debtor Mathew E. Zupancic ecf@mcelrathlaw.com donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

TOTAL: 8